Variations in Sephardi and Ashkenazi Liturgy, Pronunciation, and Custom

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I. Introduction

In this paper we shall consider the permissibility of changing between Ashkenazi and Sephardi rituals, both with respect to the rites of prayer and with respect to pronunciation. We shall also discuss the problems that arise when one prays in a congregation that has a different prayer ritual (nusach) than one’s own.

It is important to distinguish between the true Sephardim who come from North Africa and the Middle East, and the Hasidim who come from Eastern Europe but have adopted some Sephardic customs. To keep this distinction clear we shall refer to the latter as the Hasidic (or Lurianic) rite rather than the Sephardic rite. The Sephardic rite will refer to the liturgy of the true Sephardim. (The Hasidim, about 300 years ago, adopted many of the Sephardic practices based on the customs of Ari. These were later revised in various versions by Baal-Shem-Tov and his successors.1) Besides

1. In practice there is no uniform Hasidic version of the prayers. Rather, different Hasidic groups made their own changes. Among the most formalized are those of Chabad who use Nusach Ari though this is not identical with that found in the siddur of Ari. All these variants have in common that they are basically Ashkenaz with a Sephardi flavoring. For example, in the blessing of ברך עלינו in the Amidah there is a distinction between the rainy and dry season. The Ashkenazim use the phrase ותְּבֹהֵךְ בָּרָצַח in the dry season while ותְּבֹהֵךְ is used in the rainy season. In contrast the Sephardim have two different blessings for the dry and rainy seasons. All Hasidic versions follow the Ashkenazi pattern. In other matters, i.e. Kedusha and Kaddish, parts of the

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expression and national unity. Consequently, it is important to strengthen the customs of each community to allow such individual expression. Unification is achieved through cooperation and not necessarily through intermingling.

The greatness of a symphony is not through a single beat or a single instrument but rather by combining many instruments with their individual properties.

Let us now turn to the specific halachic issues raised by the diversity in prayer customs.

1. How binding are family (or community) customs on an individual when he is removed from his traditional environment? Is it permitted for an individual to change his custom?
2. Is it preferable for a person to follow his custom at all times, or is it better for him to follow the prayer liturgy in the congregation with which he finds himself?

In practical terms, the resolution of these questions will determine the behavior of a Sephardi student in an Ashkenazi yeshiva during the minyan, or an American Ashkenazi when he visits an Israeli synagogue, as well as many similar situations.

II. Talmudic Sources

In this section we shall analyze some of the sources in the Talmud connected with the changing of one’s customs. When moving to a new community, either temporarily or permanently, there are two principles that come into conflict. As we have seen, the first one is אל תעזBat אבראָמ, that one should not forsake the customs of one’s ancestors. On the other hand there is an obligation to follow the customs of the community, based on a Talmudic teaching derived from the verse אל תעזBat אבראָמ do not separate into groups אל תעזBat אבראָמ, אבראָמ.

The Mishnah\textsuperscript{5} states that when one comes from a community that does not do work in the morning of Erev Pesach to a community that does allow work in the morning or vice versa, then he takes on the stringency of both communities. The Mishnah then concludes that in general one should not change from the custom of the community in order to prevent conflicts.\textsuperscript{6}

The Gemara in Pesachim\textsuperscript{7} discusses the implications of this principle. Rav Ashi\textsuperscript{8} says that the law of the Mishnah only holds if one intends to return to his original community. However, if one intends to stay, he should keep all rules of the new community both for leniencies and for stringencies.\textsuperscript{8}

The text most relevant to our problem occurs in Yevamot.\textsuperscript{9} The Mishnah states that even though the houses of Hillel and Shammai differed about the permissibility of certain marriages, nevertheless, the families of both houses of learning married with each other. Similarly, even though they disagreed about the purity of some vessels they would still borrow dishes from each other.\textsuperscript{10} Thus we see that even great scholars kept their individual customs and did not abandon them for the sake of unity.

Abaye opines that Lo Toged\textsuperscript{10} applies only to two courts in one city, but two courts in different cities may each go their own way. Rava disagrees and says that even two courts in one city can have different laws and Lo Toged\textsuperscript{10} applies only to splits within one court in a city. It is not permissible for half the people in the court (or community) to do things one way while others do it differently.

There is a fundamental argument between Rashi and Maimonides (Rambam) about the reason of the prohibition of Lo Toged\textsuperscript{10}. Rashi explains that the prohibition is there to prevent the appearance that there are two versions of the Torah when

\textsuperscript{5} Pesachim 50a.
\textsuperscript{6} Pesachim 50b.
\textsuperscript{7} Pesachim 51a.
\textsuperscript{8} Shulchan Aruch, Yoreh Deah 214, see also נ"ש י"ש.
\textsuperscript{9} Yevamot 13b.
\textsuperscript{10} Rashi explains that the reason is that everyone would inform the others of any possible problems.
different groups behave in distinct manners. Maimonides\textsuperscript{11} rules that the purpose is to prevent arguments. Furthermore, he holds like Abaye that the prohibition applies only to two courts in the same city. However, Rifa and Rosh\textsuperscript{12} follow the general rule that we concur with Rava against Abaye. Furthermore, many \textit{Acharonim} assume that the prohibition of \textit{Lo Titgodedu} is a biblical prohibition while the prohibition of \textit{Lo Shemini} is not deviating from the community in order to avoid arguments, is only a rabbinic prohibition.\textsuperscript{13}

We conclude this section by surveying several other places in the Talmud that impact upon changes in one’s customs.

The Mishnah\textsuperscript{14} discusses the proper time to shake the \textit{lulav} during \textit{Hallel} on Succot. Rabbi Akiva notes that he saw Rabban Gamliel and Rabbi Yehoshua shaking the \textit{lulav} only during \textit{Hallel} even though the rest of the people shook their \textit{lulavim} at other times during recitation of \textit{Hallel}. We thus see that Rabban Gamliel and Rabbi Yehoshua did not feel obligated to shake their \textit{lulav} with everyone else when they thought that it was unwarranted. Similarly, the Gemara\textsuperscript{15} relates that when Rav came to Babylonia he did not recite \textit{Hallel} even though the rest of the congregation did.

Finally, we quote a text from the Jerusalem Talmud.\textsuperscript{16} “Rabbi Yose [in Israel] sent to them [communities outside Israel, saying] ‘Although we sent to you the order of the festivals, do not change from the custom of your ancestors.’” According to this version, Rabbi Yose was telling the communities outside Israel to observe two days Yom Tov even though the calendar was fixed and there was no longer any doubt which day was Yom Tov. However, there is another version, that not the order of the \textit{festivals} but rather the order of the \textit{prayers} was sent. According to this version, Rabbi Yose sent a listing of the prayers to a community; however, he told them that in spite of this they should continue to pray according to their ancient customs.

\section*{III. General Survey}

In this chapter we will discuss the general problem of changing customs. Specific applications will be discussed in later chapters. As we have seen before, there are two opposing principles. First, one should follow the custom of one’s parents based on \textit{al litish}. Second, one should follow the customs of the community in which one lives based on \textit{Lo titgodedu} and also \textit{al yeshaneh adam mipei hamachloket}. We shall analyze when each of these principles applies and what to do when conflicts arise. There may also be differences between one’s own conduct and the education of one’s children.

It is obvious on practical grounds that in the past, community practices took precedence. The communities of old could not survive if each new member kept his old customs. Instead of a unified community each city would have been a cacophony of different customs. Rabbi Feinstein\textsuperscript{17} explicitly states that originally when one moved to a new community, he took on all the customs of the community including liturgy. However, today there are very few true “communities” still intact. Since most cities contain a mixture of many communities, he advises that one should keep his original rite of prayer and not change to that of the synagogue.

Even today we still see some evidence of the original practice of following a uniform mode. In some areas in Israel there are distinct customs which are followed both by Ashkenazim and Sephardim. For example, \textit{Yireu Einenu} is not recited in the evening service; on the other hand \textit{Birkat Kohanim} is recited every morning, and \textit{shehecheyanu} is recited at a circumcision.\textsuperscript{18} The standard

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15. \textit{Megilla} 22b.
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practice is for all people coming on aliya to Israel to follow Israeli custom in this regard. Even a minyan made exclusively of Olim would not keep their original customs with regard to these practices. However, with regard to rites of prayer, Israel indeed has a greater variety of customs than even New York. Hence, Rabbi Feinstein would hold that for liturgy one should follow the rite of one's parents and not that of the synagogue (an least at home and for the silent Amidah).

Rav Feinstein also rules that if part of the congregation is still in the synagogue, the old customs are followed even though a majority of the present congregants have a different rite. Based on similar reasoning Rav Ovadiah Yosef feels that anyone moving to Israel is considered as moving to a community that follows the opinions of Rav Yosef Karo. Hence, when Ashkenazim come to Israel, Rav Yosef feels their children may eat kitniyot on Passover (preferably requesting hatara on their vows). Chazon Ish disagrees with the position of Rav Ovadiah Yosef and says that Ashkenazim, even in Israel, do not follow the ruling of Rav Yosef Karo. Rather, they rely on the later Acharonim, e.g. Shach, Vilna Gaon, etc. Even when they disagree with the Shulchan Aruch, Rav Sharman also disagrees with Rav Ovadiah Yosef. He feels that since the original community of Rav Yosef Karo has been destroyed there is no reason to consider modern day Israel as

19. see also משלוח בורדוות etc.
20. see also משלוח בורדוות etc.
21. However, Rav Chaim David Halevi (משה בורדוות etc.) states that if a group moves to Israel and has its own community, they should keep their original customs. Rav Aburiviah (משה בורדוות etc.) quotes Rav Uziel that when a synagogue has members who come from many different countries it is preferable to keep their original customs. In practice, in a shul whose members come from different communities, whoever is the Chazzan often uses his own customs, except on Yom Tov. (Popular Halacha, A Guide to Jewish Living, by Rabbi J. Berman, translated by Rabbi A.J. Ehrlitch. Ahva Press of the Jewish Agency, Jerusalem, 1978).
22. משלוח בורדוות etc.
23. משלוח בורדוות etc.
24. see also משלוח בורדוות etc.
25. see also משלוח בורדוות etc.
26. Following the ruling of Rif and Rosh, this would be true only if one court were greater than all the others. However, if they are equal, then each community can have its own practices. Since no one can decide which congregation is more important, each community should follow its own practices.
27. see also משלוח בורדוות etc.
even according to Maimonides, congregations formed by refugees from different communities are considered as “two cities” even though they physically reside in the same city. Therefore, even according to Maimonides each community should follow its own liturgy and customs.28

Based on the above discussion, poskim conclude that one must follow the custom of the congregation in all public matters, e.g. reciting Kedusha. On the other hand, one should follow the ways of one’s parents in all private matters, e.g. the silent Amidah or when praying at home.

Some say that for customs that do not involve any prohibitions, one may change his previous custom. It is fairly common for students in a yeshiva to follow the customs of their teachers.29 According to some poskim it is not clear that this is permissible. In fact, a number of yeshivas have insisted that the students not change from the customs of their parents. On the other hand gedolim in all generations have suggested changes in the prayers based on their interpretation of the Talmud and the Rishonim.

This does not contradict וְיָזַן בֶּן (do not abandon your customs) when they suggest a more correct way. Nevertheless, many of their suggestions were never accepted since the general public preferred their old traditions, and many of the customs that the Rishonim objected to are still being maintained. Even the opinions of the Vilna Gaon were not accepted in Vilna! It was only in Israel where the students of the Gaon were a significant portion of the population (in the 1800’s) that the customs of the Gaon were accepted. Some poskim disagree and opine that if one custom is more correct, everyone should change even his private customs to the more correct way. It is clear that individuals cannot pick and choose which customs are more correct; this is left to gedolim. Application of these principles to specific cases will be discussed hereinafter.

IV. Changing of Rites

There are a number of differences between Ashkenazic, Hasidic, and Sephardic liturgies. With regard to these differences there are several questions.

1. May one voluntarily change from one rite (nusach) to another?
2. How should one behave if he moves to a new community?
3. How should one conduct himself when his private rite is different from that of the community?
4. Can one educate one’s children in a rite different from one’s own?
5. How should the congregation behave when it includes members from different types of communities? May an entire congregation change its liturgy (nusach)?

We shall see that not all parts of the prayer carry equal weight and therefore the answer to some of these questions may depend on the portion of the prayer under discussion. As a general guiding principle we have seen that one should follow one’s own tradition whenever it does not conflict with that of the congregation. Furthermore, for practices that involve only customs and not prohibitions, one need not follow the custom of the synagogue.

Amidah

To discuss applications to the private Amidah, we must first address the issue of which rite is more correct. Rabbi Samuel de Modena30 (1503-1590) was asked what to do in Salonika where two

28. It is interesting to note, on a historical level, that there were two synagogues in Cairo at the time of Maimonides. One followed the Babylonian (Sephardi) rite while the smaller one followed the old Israeli rite. We do not know if Maimonides objected to this arrangement. (From The itinerary of Benjamin of Tudela by M. Adler, Feldheim Publications, New York, 1908).
29. Rav Moshe Feinstein (Responsum no. 3 in The Radiances of Shabbos by Rabbi Cohen, Mesorah Publications, 1986) assumes that many of his students follow his custom (based on his father’s custom) to sit for Hamdala. Hence, Rav Feinstein seems to feel that one can adopt the customs of one’s Rebbe even when it conflicts with parental traditions in spite of the fact that that he rules that the general public should not follow his personal custom.
30. שם טוב בישרימך. אוחי סים כיי.
synagogues used a Sicilian rite, one used a Sephardi Rite, and there was also an Ashkenazi community. In another place he mentions that the Ashkenazi community had changed to the Sephardi rite, and now some members wanted to change back. Rabbi de Modena decided that השنوים (do not abandon...) applies only when a prohibition is involved and so does not affect prayers since all the rites have the same basic blessings. However, he considered it preferable to use the Sephardic rite (note: the Hasidic rite did not yet exist) since the piyutim are by the consummate poets Rabbi Yehuda Halevi and Ibn Gavirol and are clear and concise. Since one must understand the prayer of the chazzan in order to fulfill the mitzvah, one who listens to the piyutim of the Ashkenazim does not completely fulfill the mitzvah since no one truly understands these piyutim. Nevertheless, he points out that in his opinion each synagogue is considered a separate city and so there is no problem of Lo Titgodedu. Magen Avraham quotes Ari that there are 12 gates in heaven corresponding to the 12 tribes, and each tribe had its own way of praying. Many historians believe that there never was a single rite that all Jews used. Rather, from various places in the Talmud it seems that variations in the prayers always existed. Since prayer is worship in the heart ( العبودى بالقلب) each person expressed his prayer in his own way. It was only later that the sages gave a framework for all of Israel. According to this view the men of the Great Assembly (at the beginning of the Second Temple era) and later Rabban Gamliel (after its destruction) never fixed a definite text for the Amidah. Rather they specified the beginning and end of each blessing. Other historians feel that at some point there was a single authoritative version for every single word in the Amidah. Only with the passage of time did different versions come onto being.

Rav Ovadia Yosef also quotes Ari and concludes that the Sephardic rite is the correct one. He therefore feels that all Jews should change to the Sephardic rite, though he does not distinguish between the Hasidic and the true Sephardic rite. He also disagrees with the attempts to create a common liturgy that combines all the rites (גוזר ואזרי) as used in the Israeli army.

However, Rabbi Moshe Sofer (Chatam Sofer) disagrees with the concept that each tribe had its own prayers. He cites the Talmud that different Tannaim used to lead the prayers, even though some were priests or Levites and others came from other tribes, while Rabbi Akiva was a descendant of converts. (Obviously, the Talmudic sages did not worry about distinctive prayers for each tribe.) He further states that both his teachers, Rabbi Nathan Adler and Rabbi Pinchas Levi Horowitz, prayed in the Sephardic rite while they served as rabbis of the Ashkenazi congregation in Frankfurt, but that no one followed in their ways. (One wonders about the principle of following the congregational practice!) He claims that Ari was a Sephardi, and so found mystical meaning in the Sephardi prayers. Chatam Sofer therefore concludes that all rites are equally valid and all reach G-d, but that one should remain with the rite of his parents.

### Notes

31. Chacham Tzvi claims that on the contrary, the piyutim of the Ashkenazi rite were made difficult to understand on purpose. This was done so that Gentiles would not use these prayers. However, one who is well versed in the Talmud, Midrash, Zohar and Kabala can understand them. 

32. The concept of 12 gates in heaven corresponding to each tribe is a little vague. Presumably this refers to the Amidah (and not other parts of the prayers). For those who do not know from which tribe they are descended, Ari and later Baal-Shem-Tov arranged a rite which goes through a 13th gate. Those who believe in the Baal-Shem-Tov should convert from their present rite and use the Hasidic rite. This is discussed in...

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34. 
35. 
36. Actually Ari was an Ashkenazi from his father's side and a Sephardi from his mother's side.

37.
Rabbi Chaim David Halevi (Sephardic Chief Rabbi of Tel Aviv) ruled that the Yemenite community in Arad, Israel, should have two synagogues — one for those who use the "Bladi" or Yemenite rite and one for those that use the "Shami" or Sephardi-like rite. Pe'at Hashulchan writes that the Ashkenazim and Sephardim in Jerusalem who have separate synagogues are behaving properly. However, he adds that should an Ashkenazi pray in a Sephardi shul, he must follow them in all their prayer.

Similarly, Rabbi Bracha says that even within Ashkenazi rites one must keep his original rite. He therefore rules that one who comes from New York to Jerusalem may not change to pray in the Nusach Hager of the Vilna Gaon, which is commonly used in Jerusalem. Only if they will not have a minyan can they join such a shul. He does not discuss how the students of the Vilna Gaon who first moved to Israel were able to change their rites from that which was used in Vilna.

Rav Feinstein disagrees and says that the quality of prayer is more important than the liturgy. Thus, if one can pray with greater concentration and in more proper surroundings, one may choose a

Rabbi Nathanson (משה נפתל, אָיתֶרֶת הַתָּלָה) agrees with Chatam Sofer. He further points out that one cannot rely on the Maharshach since he was a Sephardi. Also many other poskim insisted that one follow the rites of ones parents. See, for example, Rav Yonah Benüder, Rav Shmuel, and Rav Menachem. Similarly, when and in what order to shake the lulav during Hallel, we previously saw that Rabban Gamliel and Rabbi Yehosua did not shake the lulav with the congregation. Therefore, today when there are different customs as to when and in what order to shake the lulav in Hallel, each person may follow his own customs. Also, since Lo Titgodedu does not apply to customs that do not involve synagogue with a different rite, even though he will have to follow the synagogue's customs in all public matters. This is preferable to choosing an inferior synagogue which follows the same rites as his own. Rabbi Feinstein also disagrees with those who justify the Hasidic rite. In fact he maintains that an Ashkenazi may change from the Hasidic to the Ashkenazi rite, since all Hasidim were originally Ashkenazim. Hence such a person is still using his ancestral rite even though for the past several generations a different rite was used.

Public Prayer

Until now we have discussed differences in rite in terms of the silent Amidah. For prayers that are said out loud all agree that one must follow the custom of the synagogue. This certainly includes prayers that are normally said aloud by the entire congregation, e.g., Kedusha. Rabbi Feinstein rules that everything other than the silent Amidah is considered public prayer and should be said according to the custom of the congregation. Other poskim feel that anything that is not noticed by others can be said in one's own rite. Thus, those who do not say Yireh Eneino need not say it when the rest of the congregation does. Even the chazzan may skip Yireh Eneino if he can start the Kaddish in a manner that people will not realize that he didn't say it.

With regard to shaking the lulav during Hallel, we previously saw that Rabban Gamliel and Rabbi Yehosua did not shake the lulav with the congregation. Therefore, today when there are different customs as to when and in what order to shake the lulav in Hallel, each person may follow his own customs. Also, since Lo Titgodedu does not apply to customs that do not involve

42. פְּרִי חָוֵי תַּלָּה, בּ. יְסֵמֹת יִנָּה.
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44. If this change of liturgy will destroy his concentration, then poskim (דְּבָרִי חוֹתָמָא דְּבָרִי הַמַּשְׁרָא לִזְכָּרָי, etc., can be said quietly in his own rite. Also the private Amidah of the chazzan must be the same as the public repetition.
45. פְּרִי חָוֵי תַּלָּה, בּ. יְסֵמֹת יִנָּה.
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prohibitions, there is no problem if some people stand while others sit during the reading of the Torah or the repetition of the Amidah.\(^47\) Similarly when an Ashkenazi is with a Sephardi for Chanukah he can light his candles according to the Ashkenazi custom (an additional one for each night of Chanukah).\(^48\) Furthermore, one may alter his own customs in order to perform a mitzvah in a better way. Thus, one can choose which type of vegetable to use for maror at the Seder and need not be bound by his parents’ custom.\(^49\)

In the 19th century, however, Rabbi Ettlinger\(^50\) strongly objected to Ashkenazi synagogues’ changing their custom and allowing all the mourners to say Kaddish together. He held that the original practice of only one person reciting Kaddish is the correct method and therefore cannot be changed. Also, Chavot Yair says that one should say the piyutim with the congregation even though this is not one’s normal custom.

Tefillin

One of the more controversial questions is that of wearing Tefillin on Chol Hamoed. There are three customs: not to wear, to wear them but without reciting a blessing, and to don the Tefillin with a blessing. Numerous rabbis\(^52\) have complained about synagogues where some people wear Tefillin and some do not, claiming that this violates the prohibition of Lo Tigitgedu. Some, however, justify the common custom not to be particular since otherwise it might not be possible to have a minyan. Rabbi Liebes\(^53\) also quotes Bet Yitzchak that it is permissible to change one’s custom and not put on Tefillin on Chol Hamoed. Indeed, this is

now the widespread custom in Israel, based on the opinion of the Vilna Gaon.

Another major area of discussion is what people should do in terms of prayers on the second day of Yom Tov, when they visit between Israel and America. Due to lack of space we can not discuss all the issues here.\(^54\)

In Israel a controversy arose over the practice of Jews visiting from other lands to have minyanim on the second day of Yom Tov (יומ טוב שעילוונימ). Some people felt that this was a public display of separation from the community in Israel and hence a violation of Lo Tigitgedu. This is especially true of Simchat Torah when major public dancing takes place. Rav Yosef Karo\(^55\) says that although in theory it should not be done, nevertheless it is an old custom for visitors to observe the second day of Yom Tov even in Israel (this responsa was written more than 400 years ago). He justifies the custom on the grounds that perhaps the prohibition of Lo Tigitgedu applies only to work on Yom Tov and not to prayers.

Although we refer to parental custom, there are times when parental custom is not binding. Rabbi Liebes\(^56\) points out that one need follow a family custom (ꦩꦤ Ogre on) only if he was brought up in that custom by his parents. But if the parents were irreligious he should follow the customs of the group that helped him become religious. This is true even when he is of European heritage and he would assume Sephardi customs. Furthermore, he is to follow the new customs both in cases of leniency and stringency. Rav Ovadia Yosef\(^57\) also holds that children do not have to follow the stringent personal customs of their parents when the children were never taught to keep these customs.

In concluding this section, we wish to stress one point: According to many commentators, the purpose of the prohibition of

\(^{47}\) See, for example, Shemot Temimah, Ahavat Yakhov, Shelikhot, 2:4.

\(^{48}\) Shemot Temimah, Ahavat Yakhov, Shelikhot, 2:4.

\(^{49}\) Rabbi Ettlinger, as quoted in Chavot Yair, 29.

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\(^{54}\) The interested reader is referred to Shemot Temimah, Ahavat Yakhov, Shelikhot, 2:4, as well as an article on this topic in Vol. VI of this Journal.

\(^{55}\) Chavot Yair, 29.

\(^{56}\) Shemot Temimah, Ahavat Yakhov, Shelikhot, 2:4.

\(^{57}\) Shemot Temimah, Ahavat Yakhov, Shelikhot, 2:4.
Lo Tigitodedu is to prevent arguments. As such the poskim have pointed out that it is entirely inappropriate to start a fight in the synagogue over differences in customs. In trying to prevent violations of Lo Tigitodedu one does violence to the whole rationale of the prohibition!! All variations of our rites are based on valid principles and are acceptable to the Almighty.

V. Changes in Pronunciation

As in the previous section we need to analyze whether one may chance his pronunciation of Hebrew and also if one may pray in a different accent from that of the congregation. In addition we have a new difficulty: some prayers must be said in Hebrew, (לשון התלמוד) and not in other languages. According to some poskim, using the wrong pronunciation may be equivalent to using a different language. Furthermore, in reciting the Shema one must be careful to enunciate the letters clearly (קרוחת באהתייה) and an incorrect accent may be equivalent to not pronouncing the letters clearly.

The Gemara states that Rav Hiya was not able to distinguish between a Heh and a Chet. Accordingly, the Tosafot ask how Rebbi was able to call on Rav Hiya to lead the congregation in prayer. They propose two answers: In one place, the Tosafot say that Rav Hiya actually could pronounce a Heh, but only with difficulty. Elsewhere, they answer that since Rav Hiya was the best one available, he was chosen to lead the services, despite his deficiencies. Pri Chadash says that this second answer is the main one.

Maimonides teaches:

One should not appoint as a leader in prayer one who cannot pronounce the letters correctly. For example, one who does not distinguish between an aleph and an ayin. But a rabbi can choose one of his students to lead the congregational prayers.

The question is, what is the connection between the two rules in this paragraph? Ohr Sameach answers that one who does not pronounce Hebrew correctly should not be the chazzan because it is not proper respect for the congregation (בכרו ציבור). However, if everyone is used to his manner and the Rabbi chooses him, there is no problem. Similarly, Mishnah Brurah rules that if the whole community does not distinguish between an aleph and an ayin or between other letters, there is no need to insist that the chazzan pronounce them correctly. Furthermore, if he is the most fit to be chazzan, he may be chosen to lead the prayers even though others do distinguish between the letters. (Nevertheless, in this case he should not be chosen as the permanent chazzan.) However, Pnei Moshe disagrees and says that one may not act as chazzan unless he can distinguish between the letters, albeit with an effort.

The Shulchan Aruch says that one should be careful to enunciate clearly and not slurr letters while saying the Shema. Thus, one should leave a slight gap between words where the end of one word has the same sound as the beginning of the next word (e.g. חכמים לברך). One should distinguish between “hard” and “soft” vowels and between different types of shva. Ramo adds that these laws apply as well to the Torah reading.

Based on these rules, we see that it is important to pronounce every letter and vowel correctly. This leads to the discussion as to which — Ashkenazi, Sephardi, or Yemenite — pronunciation is the most correct? Furthermore, if one uses a less correct pronunciation,
is it equivalent to not enunciating clearly, as required (לַא דֵּקָּה, דֶּקָּה, וּבְשָׂדִּים)? Everyone agrees that regardless of historical accuracy, if the entire congregation uses a single pronunciation, one fulfills his obligation thereby. Thus, members of a Hasidic shul fulfill their prayer obligations even though it is clear that Moshe Rabbeinu did not speak with a Hasidic accent. But a question arises in a place where several accents are used.

A well-known story of one who did switch from an Ashkenazi to a Sephardi accent is Rabbi Nathan Adler (the "rebbe" of Chatam Sofer.) He hired a Sephardi scholar, Rabbi Chaim Modai, to teach him the Sephardi accent which he then used in his prayers, in a Sephardi liturgy. Note that it took Rabbi Adler several years to master the Sephardi accent. This in spite of the fact that Rabbi Adler was considered one of the great geniuses of his time and had total recall!!! We thus see the great difficulty that exists for an Ashkenazi to learn the true Sephardi (not Israeli) accent.

The strong distinction between the Ashkenazi and Sephardi pronunciations seems to be relatively recent, within six hundred years. For example, Rosh, who immigrated to (Sephardi) Spain from (Ashkenazi) Germany in 1305, does not mention pronunciation in his discussions of the differences between Ashkenazi and Sephardi customs.

One of the first discussions of pronunciations is by Rabbi Bachya on the verse (זְקַנְוֹ הַמַּעַלְׁשׁ לַשָּׁמֶשׁ וּלְגַבְרַתָּהּ כְּמִמְּכָּרָיו לֹא בֹּלֵל רָעָה), He notes that one must be careful to distinguish between a patach and a kametz in the pronunciation of the name of G-d. With a kametz (Adonai) it signifies a holy name but with a patach (Adonai) it is profane, i.e. it means "master" but does not refer to the Almighty.

The differences between a kametz and a patach is equivalent to the differences between light and darkness and the difference between the holy and the profane.

This passage has been used by many Ashkenazim to support their version of the pronunciation. In editing the Siddur, Rabbi Yaakov Emden complains that Sephardim do not distinguish between a patach and a kametz, that they have no cholom, and that they do not distinguish between a tzere and a segol.

As expected, Sephardic authorities defend the Sephardi pronunciation. Rabbi Ovadia Yosef discusses this problem at length. He argues that in terms of vowels one cannot say which accent is more correct; however, with regard to consonants the Sephardi accent is more correct. Rabbi Yosef cites Rabbi Bachya but concedes that even Sephardim should make some distinction between a patach and a kametz.

Rabbi Yosef objects strongly to the apocryphal story that Chazon Ish ruled that an Ashkenazi does not fulfill his obligation if he hears the Torah chanted in a Sephardi accent. Not every story that is said in the name of Chazon Ish is true, he comments. Furthermore, even were the story true the objection could only apply to the pronunciation of G-d's name. Rabbi Yosef points out that most Israelis today speak in Sephardi-like accent. If one would insist that they all pray in an Ashkenazi accent, the result might be that many would be driven away from religion. He cites a responsa from Rabbi Unterman that one who learned Hebrew in Israel may pray in a Sephardi accent.

Rabbi Meir Muzoz offers a detailed discussion of the correct pronunciation of every letter and vowel, stressing that the correct pronunciation is based on a scholarly analysis of the works of the Rishonim and Acharonim and not on the decisions of modern Israeli linguistic committees. He concludes that the original Sephardi accent is correct, but not the Ashkenazi or Yemenite.

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68. Shabbat 20a.

69. Rabbi Muzoz is Rosh Yeshiva of Kisei Rachamim in Bnei Brak. The responsa appears in Shabbat 20b. Sefer ha-Mitzvot, volume 1.
Nevertheless, he notes, due to the expulsion from Spain in 1492 and subsequent exiles, most Sephardim do not pronounce the letters correctly. He also claims that the original Ashkenazim had a pronunciation similar to that of the Sephardim. This position is supported by evidence: when the Gemara discusses the difference between the aleph and the ayn, neither Rashi nor Rosh, nor any other scholar makes any comments that this does not apply in their days. He interprets this to mean that the early Ashkenazi rabbis also distinguished between an aleph and an ayn.

In terms of the vowels his hardest struggle is with the kometz, and since he admits that it is not clear which pronunciation is correct, he concludes that each group should keep its original accent for the kometz. In his opinion, the modern Israeli accent has adopted the two weakest parts of the Sephardi accent.

Several Ashkenazi rabbis agree that the Sephardi accent is more correct. But Rav Chaim David Halevi opines that the Yemenite accent is the correct one. Rav Henkin considers it preferable to choose a chazzan who has the same accent as the majority of the congregants. Rabbi Weinberg concurs with Rav Henkin and feels that the Sephardi pronunciation is more correct. Therefore, he says that Ashkenazi children who grow up speaking with a Sephardi accent may read the Torah aloud for an Ashkenazi minyan.

Rabbi Stern agrees that in principle one may switch to a

Sephardi accent although, if one has already learned with an Ashkenazi accent, he should not change. The reason is that it takes a long time to learn the new accent, and in the meanwhile, he will pray in a mixture of the two accents with the result that he will not fulfill his obligation according to anyone’s criteria! All these opinions feel that as a last resort (ד"כ) one fulfills one’s obligation in any accent.

One of the earliest responsa on the question of accents is by Rav Kook in 1933. He states categorically that we are not allowed to change accents from that of our ancestors and one who does, violates שים אייר אומאיה: thus he has fulfilled the mitzvah of reading the Shema on a lower level. However, Rav Kook adds that this applies only to one who grew up speaking with an Ashkenazi accent. But if an Ashkenazi was educated in a Sephardi accent, it is a different case. Rabbi Uziel (Sephardi Chief Rabbi of Israel contemporaneously with Rav Kook) disagrees and says that one who switches accents does not violate שים אייר nor is he being delinquent about careful enunciation.

Rabbi Weisz goes even further. Quoting Rav Kook that one is not permitted to change one’s accent for prayer, he points out that those who change to an Israeli accent usually do so not for halachic reasons but rather to identify with Israel. However, Rabbi Weisz points out that even according to this opinion it would apply only to a true Sephardi accent. But he claims that the modern Israeli accent contains the worst features of both the Ashkenazi and Sephardi accents. Israelis commonly do not distinguish between a kometz and a patach or between a segol and a tzere. On the other hand, like the Ashkenazim, they do not distinguish between an aleph and an ayn nor do they make other distinctions which true Sephardim are careful about. Based on this opinion some yeshivas in Israel will not allow a Sephardi to lead the prayers since the
custom of the yeshiva is to use an Ashkenazi accent.

Rav Moshe Feinstein disagrees and says that the ultimate correctness of a pronunciation is not the only determining factor. If a community uses a pronunciation, then it acquires the status of ליטעון קידוש (the holy tongue) even though Moshe Rabbenu did not use that accent. Therefore, Lithuanian, Polish, Hungarian, and all other accents are ליטעון קידוש even though it is clear that mistakes in pronunciation were introduced with the passage of time. It is preferable to pray with the pronunciation in which the Torah was given on Mount Sinai — but that is not known. Rav Feinstein concludes that it is an argument in law (マכיקיצק בור) which pronunciation is correct and therefore one should not change his accent unless he permanently moves to a new community. (But it would appear that even according to Rav Feinstein if certain accents are obviously not the original pronunciation one may improve that portion of his speech.) Rabbi Feinstein also says that the Torah reading is a communal event. Hence, if the Torah were to be read in a Sephardi accent in an Ashkenazi synagogue (for example, at a Bar Mitzvah where the boy can only read with a Sephardi accent but still insists on reading the Torah) another minyan should be established for that Shabbat, in which the Torah will be read with an Ashkenazi accent.

At the other extreme is the position taken by Rabbi Broda. Based on the responsa of Rabbi Mazoz, Rabbi Broda concludes that both Yemenites and Ashkenazim should use the true Sephardi pronunciation. A Sephardi who hears the prayers or the Torah reading from an Ashkenazi is in doubt if he has fulfilled his obligation. Therefore, all Sephardim should pray only in a Sephardi minyan. Furthermore, Rabbi Broda advises that Ashkenazim should be convinced to change their accent so that everyone can pray in the correct manner. For Kiddush and Havdala, the Sephardi students in an Ashkenazi yeshiva should say the blessing word for word along with the Ashkenazi reader.

Torah Reading

The Torah reading on Shabbat and during the week is a rabbinical decree by Moshe Rabbenu and Ezra. Hence, Rabbi Liebes opines that it is preferable to have a good Torah reader use a variant accent rather than have a poor reader use the same accent as the rest of the congregation. He points out that even among European Jewry, the different countries had different pronunciations, but no one ever complained. Based on our previous discussion, it would seem proper that the chazzan, Torah reader, or person receiving an Aliya should use the accent of the congregants because of the principle that a person should not publicly differ with communal practice (לא שמע אדם ממעון הדומינט). However, if this creates difficulties and would disturb the concentration of the chazzan, he may use his own pronunciation. But Rabbi Tzvi Pesach Frank, relying on the above-mentioned opinion of Rav Kook, adds that if one hears the reading of the Torah from someone who pronounces a shuruk like a hitik (i.e. איה as like עיר), he does not fulfill his obligation since it is not truly considered Hebrew (לישון הקדוש).

According to many authorities the Torah reading of Parshat Zachor and Parshat Parah are mandated by the Torah and hence one must be extra careful. Rav Frank is quoted (in the notes by his grandson) as saying that one should hear Parshat Zachor in one’s own accent. Rav Ovadiah Yosef says that one fulfills his obligation of hearing the Torah reading in any accent with the possible exception of Parshat Zachor and Parah. Consequently, he advises Sephardi students in an Ashkenazi yeshiva to make a

81. שירת צבי, עזר. עזר, ימיון ב שמות. ה. מניין. ב. 78.
82. שירת צבי, עזר, ימיון ב שמות, ה. מניין. ב. 79.
83. Only for Megillat Esther has he fulfilled his obligation since that can be said in any language.
84. See note 68.
85. This is because the obligation to hear Parshat Zachor is on each individual, while the weekly Torah reading is only a communal obligation.
separate minyan for Zachor and Parah. As we saw before, Rabbi Broda is more insistent on the primacy of the Sephardi accent. He therefore says that if a Sephardi hears Parashat Zachor or Parah in an Ashkenazi accent, he has not fulfilled his obligation, since for a Torah obligation one must follow the stringent position. Furthermore, an Ashkenazi should also be stringent and hear Parashat Zachor in a Sephardi accent. During the rest of the year Sephardim who hear the Torah reading in an Ashkenazi accent do not fulfill their obligation in the preferential way. But Rav Chaim David Halevi97 says that making a separate minyan for Zachor denigrates the other weekly readings. In any case he strongly objects to reading Zachor many times in different accents and says that at most twice is enough. The most important matter is to prevent fights in the synagogue. Rabbi Sternbuch98 also strenuously objects to the custom of reading Parashat Zachor many times in different accents. This is an affront to gedolim of previous generations who did not insist on this. One needs only intention to fulfill the mitzvah and the ability to understand the parsha. If one wishes, he can read Parashat Zachor over again, in private, and without a blessing.

A further difficulty arises in connection with the priestly blessing. The Shulchan Aruch states that a Kohen who cannot distinguish between an aleph and an ayin cannot participate in the priestly blessing. Rashi says that an incorrect pronunciation here may lead to a curse instead of a blessing. L’vush maintains that the problem is that people will be distracted by the strange accent, which would disturb their concentration. But if they are accustomed to the pronunciation, there is no problem. Maharsha disagrees, because the problem is that the blessing is being said incorrectly. Only if the entire congregation does not distinguish between an aleph and an ayin may the Kohen participate in the priestly blessing.90 Rav Shneur Zalman91 agrees with Maharsha, as does Mishnah Brurah.92 Rav Ovadiah Yosef93 quotes opinions that an Ashkenazi Kohen who goes to an eastern country should not participate in the priestly blessing; however, he notes that people are not careful about this and it is more important not to embarrass people.

Rabbi Feinstein94 concludes that American yeshivas should continue using an Ashkenazi pronunciation. Others point out that aside from any halachic questions involved, changing one’s accent will lead to a mixture of different pronunciations which would be even more confusing. Rabbi Kook, Rabbi Weinberg and Rabbi Unterman allow one to pray in the accent in which he was educated, even though it might be different from the accent of his forefathers.

We have previously noted that the modern Israeli accent is not synonymous with the Sephardi accent. In fact, Rabbi Weisz claims that the Israeli accent has the worst features of both the Ashkenazi and Sephardi accents. However, one positive part of the Israeli accent is that it puts the emphasis on the correct syllable. It is agreed by everyone that for most words the accent in Hebrew should be on the last syllable. Many Ashkenazim (based on Yiddish) incorrectly emphasize earlier syllables. Thus, for example, for Shabbat (or Shabbos) the emphasis correctly belongs on the second syllable and not the first. Rabbi Henkin96 based on many

90. See note 71.
92. Mishnah Brurah 128:120.
93. See note 68.
94. Mishnah Brurah 53:37,38.
95. See also Mishnah Brurah 53:37,38 where he quotes the Pene Moshe that one cannot be a Chazzan unless one can distinguish, even with difficulty, between an aleph and an ayin.
96. See note 53.
97. We note that in some circles in Israel it is not uncommon for people to speak with an Israeli accent but to pray with an Ashkenazi accent. However, Rabbi Ezriel Munk (Kakele Or) objects to teaching in a Sephardi accent feeling that if children learn in a Sephardi accent they might pray in a Sephardi accent.

87. See note 71.
88. See note 71.
89. Shulchan Aruch, Orach Chaim 128:33.
poskim (e.g. Vilna Gaon, Pri Megadim, etc.) stresses the importance of correct grammar and pronunciation, particularly placing the stress on the proper syllable. There is no excuse to speak incorrectly based on שעת תבש עק. All poskim who insist that Ashkenazim use an Ashkenazi pronunciation do so on the grounds that we cannot decide which mode is correct. But those aspects which are obviously incorrect, such as stressing the wrong syllable, should be corrected.

Rabbi Frank writes that an Ashkenazi has not fulfilled his obligation in many parts of the prayer if the reader does not distinguish between a cholom and a chirik. Even according to those who disagree with Rabbi Frank, there is no need for one who can speak a proper Hebrew to mix up a cholom with a chirik simply because that is his tradition.

Based on our discussion, we see that the chazzan, Torah reader, or one who makes the blessings over the Torah reading should preferably pronounce the words in accordance with the accent used in the synagogue even if it is not his own. As with other rites of prayer, the principle of the supremacy of harmony takes precedence. Indeed, several Israeli poskim use the Israeli accent when they perform a marriage ceremony for Israeli couples (משרדי זירות), even though they use an Ashkenazi accent in their private prayers.

VI. Writings

A further difference between Ashkenazim (including Hasidim) and Sephardim is the shape of the letters. In a change from the usual practice, Ashkenazim follow the opinion of Rav Yosef Karo while the Sephardim follow the opinion of the Ari; Yemenites use the Valish script. The question arises whether these differences are essential and have any effect on the validity of Torah scrolls, Tefillin, or Mezuzot.

Rosh already commented on the difference between the letters in the 14th century. His son, Rabbi Yaakov Baal haTurim\(^97\) quotes his father that the differences are nonessential as long as one can distinguish between the letters. Ramo\(^98\) says that in Tefillin the shape of the letters is important but one fulfills his obligation in any case. Mishnah Brurah\(^99\) appends a lengthy treatise on the proper appearance of each letter according to the Ashkenazi tradition.

Rav Ovadia Yosef\(^100\) quotes several authorities who agree with Rosh. However, the Chida\(^101\) says that a religious article written with Ashkenazi script is not valid for a Sephardi and vice-versa. Rabbi Landau\(^102\) claims that all the depictions Rav Karo gives concerning the letters are only preferences and not necessities. Thus, Chida seems to be in the minority. Rabbi Uziel\(^103\) states that although one certainly fulfills his obligation with any script, nevertheless, each congregation should strive to acquire a Torah that is written in accordance with its traditions. His opinion is echoed by Rav Yosef. Most poskim agree that an Ashkenazi can receive an aliya to a Sephardi Torah and vice-versa. Similarly, there is no problem with Mezuzot that use a different script.\(^104\)

According to the Tura quoted above, the same law should apply to Tefillin. Indeed, Rav Ovadia Yosef\(^105\) concludes that in principle this is correct. However, in practice a Sephardi should not wear “Ashkenazi” Tefillin, not because of the script but rather due to the gaps left between paragraphs (פהות ועיונים) which differ from the traditional Sephardi spacing. Rabbi Liebes\(^106\) concurs that

\(^97\) Tur, Yoreh Deah, 274.

\(^98\) Shulchan Aruch, Orach Chaim, 36:1.

\(^99\) Mishnah Brurah end of chapter 36. Rav Aharon Kotler (ר' אшибка סופר) says that there are so many opinions about the shape of the letter ו that one cannot decide on a shape that will satisfy everyone. Hence, we rely on the fact that the correct shape is not necessary.

\(^100\) Shelach Brurah, Orach Chaim, 274.

\(^101\) See also Shelach Brurah, Orach Chaim, 274.

\(^102\) See also Shelach Brurah, Orach Chaim, 274.

\(^103\) Prayer, 71.

\(^104\) Prayer, 71.

\(^105\) Prayer, 71.

\(^106\) Prayer, 71.
poskim (e.g. Vilna Gaon, Pri Megadim, etc.) stresses the importance of correct grammar and pronunciation, particularly placing the stress on the proper syllable. There is no excuse to speak incorrectly based on ש댓 אוק. All poskim who insist that Ashkenazim use an Ashkenazi pronunciation do so on the grounds that we cannot decide which mode is correct. But those aspects which are obviously incorrect, such as stressing the wrong syllable, should be corrected.

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106. See also Rav Aharon Kotler, Orach Chaim 36.
it is preferable not to change between Ashkenazi and Sephardi Tefillin.

As has been demonstrated in this brief study, there are numerous differences in prayer customs which have arisen during the course of centuries of Dispersion. Regardless of our differences, however, all prayer which is truly a "service of the heart" is valid before G-d.